Case 09-09841 Doc 1 Filed 03/23/09 Entered 03/23/09 14:26:02 Desc Main B1 (Official Form 1) (1/08) Document Page 1 of 44

#### United States Bankruptcy Court Northern District of Illinois Eastern Division

<b>Voluntary Pet</b>	ition
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Name of Debtor (if individual, enter Last, First, Middle):						Name of Joint Debtor (Spouse) (Last, First, Middle)						
Tirrito, Joseph James						Tirrito, Victoria, Ann						
All Other Names used by the Debi and trade names):	All Other Names used by the Debtor in the last 8 years (include married, maiden and trade names):						All Other Names used by the Joint Debtor in the last 8 years (include married, maiden and trade names):  FKA Vicky Tirrito					
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) * ***-**-3306						ur digits of Soc e than one, stat	o oll\ *	idual-Taxpaye	r I.D. (ITIN) No./Complete EIN			
Street Address of Debtor (No. & Street, City, and State):						Address of Join	nt Debtor (No.	. & Street, City	, and State):			
2326 S. 2nd Ave						6 S. 2nd	Ave					
North Riverside IL 60546						th River	side IL		60546			
County of Residence or of the Principal Place of Business:						y of Residence	or of the Princ	cipal Place of E	Business:			
	CO	OK						соок				
Mailing Address of Debtor (if different from street address)						g Address of Jo	int Debtor (if o	different from s	street address):			
Location of Principal Assets of Bus	siness De	ebtor (if diffe	rent from stre	eet address	above):							
Type of Debtor (Form of Organi (Check one box)	ization)	N	lature of Bu		Chap	ter of Bankru	ptcy Code Ur	nder Which th	e Petition is Filed (Check one box)			
■ Individual (includes Joint D	Debtors)	☐ Heath	Care Busine	,	■ CI	hapter 7		☐ Chapter	15 Petition for Recognition			
See Exhibit D on page 2 of this			Asset Real I		.	hapter 9		•	eign Main Proceeding			
Corporation (includes LLC	, & LLF)	□ Railro	ad	3 3 10 1 (0 12)	'   <b>-</b> ~'	hapter 11 hapter 12		☐ Chapter	15 Petition for Recognition			
☐ Partnership		☐ Stockl	oroker nodity Broker		☐ CI	hapter 13		of a Fore	eign Nonmain Proceeding			
Other (If debtor is not one above entities, check this		_	ng Bank			Nature of Debts (Check one Box)						
and state type of entity be		☐ Other	3			■ Debts are primarily consumer □ Debts are primarily business						
			ax-Exempt			debts, defined in 11 U.S.C. debts. § 101(8) as "incurred by an						
		☐ Debto	r is a tax-exe	mpt	I	individual primarily for a personal, family, or household						
		_	zation under I States Code			irpose."	or nousenoid					
		Reven	ue Code).				Ch	antan 11 Daht				
`	g Fee (Che	eck <b>one</b> box)				one box		apter 11 Debte				
Filing Fee attached						☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D) ☐ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D)						
☐ Filing Fee to be paid in installm				• /	ch	Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D)  Check if:						
signed application for the court unable to pay fee except in ins									debts (excluding debts owed to			
☐ Filing Fee wavier requested (a	annlicable	to chanter 7	7 individuals	only) Must	Chec	insiders or affliates) are less than \$2,190,000.  Check all applicable boxes:						
attach signed application for th				• /		plan is being fi	-		etition from one of more classes			
						f creditors, in a						
Statistical/Administrative Inform Debtor estimates that funds wi		lable for dis	tribution to u	associated ere	odtions				This space is for court use only			
Debtor estimates that funds will be Debtor estimates that, after an funds available for distribution	ny exempt	t property is	excluded an			es paid, there w	vill be no					
Estimated Number of Creditors				_		_	_	_				
1- 50- 100-	- 2	<b>□</b> 200-	<b>1</b> ,000-	<b>□</b> 5,001-	10,001	□ 25,001	<b>5</b> 0,001	Over				
49 99 199 Estimated Assets		999	5,000	10,000	25,000	50,000	100,000	100,000				
\$0 to \$50,001to \$100		<b>□</b> \$500,001	<b>□</b> \$1,000,001	\$10,000,001	\$50,000,001	\$100,000,001	\$500,000,001					
\$50,000 \$100,000 \$500		to \$1 million	to \$10 million	to \$50 million	to \$100 million	to \$500 million	to \$1billion	\$1 billion				
Estimated Liabilities												
\$0 to \$50,001 to \$100 \$50,000 \$100,000 \$500	0,000	\$500,001 to \$1	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1billion	More than \$1 billion				

Case 09-09841 Doc 1 Filed 03/23/09 Entered 03/23/09 14:26:02 Desc Main B1 (Official Form 1) (1/08) Document Page 2 of 44 **Voluntary Petition** Name of Debtor(s) Tirrito, Joseph James This page must be completed and filed in every case) Victoria Ann Tirrito All Prior Bankruptcy Case Filed Within Last 8 Years (if more than two, attach additional sheet) Location Where Filed: Case Number: Date Filed: None None Pending Bankruptcy Case Filed by any Spouse, Partner, or Affilate of this Debtor (if more than one, attach additional sheet) Name of Debtor: Date Filed: Case Number: None District: Relationship: Judge: **Exhibit B** Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 pursuant to Section 13 or 15 (d) of the Securities Exchange Act of or 13 of title 11, United States Code, and have explained the relief available under 1934 and is requesting relief under chapter 11.) each such chapter. I further certify that I have delivered to the debtor the notice required by 11 USC § 342(b). Exhibit A is attached and made a part of this petition. /s/ Justin R. Storer Justin R. Storer Dated: 03/23/2009 **Exhibit C** Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. Nο **Exhibit D** (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check the Applicable Box.) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) П Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment)

# Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of Landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1))

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#### **Voluntary Petition**

This page must be completed and filed in every case)

#### Name of Joint Debtor(s)

Tirrito, Joseph James Victoria Ann Tirrito

#### **Signatures**

#### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7,11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

### /s/ Joseph James Tirrito Joseph James Tirrito

Dated: 01/27/2009

/s/ Victoria Ann Tirrito

Victoria Ann Tirrito

Dated: 01/27/2009

#### Signature of Attorney

/s/ Justin R. Storer

Signature of Attorney for Debtor(s)

#### Justin R. Storer

Printed Name of Attorney for Debtor(s)

LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH)

Date: 03/23/2009

#### Signature of Debtor (Corporation/Partnerhsip)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

#### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition (Check only **one** box.)

□ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

#### << Sign & Date on Those Lines

#### << Sign & Date on Those Lines

#### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for fi ling for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) Address

#### Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.



<sup>\*</sup> In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedule incorrect.

# Document Page 4 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Bankruptcy Docket #:

### EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed. 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunites for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing. 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); Active military duty in a military combat zone. 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Dated: 01/27/2009 /s/ Josep

/s/ Joseph James Tirrito

Joseph James Tirrito



Sign & Date Here

#### Document Page 5 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Bankruptcy Docket #:

#### EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed. 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.] If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing. 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); Active military duty in a military combat zone. 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

/s/ Victoria Ann Tirrito Sign & Date 01/27/2009 Dated: Here Victoria Ann Tirrito

PFG Record # 352177 B 1D (Official Form 1, Exh.D)(12/08)

# Document Page 6 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

	AMOUNTS SCHEDULE			INTS SCHEDULED	
Name of Schedule	Attached YES   NO	Pages	Assets	Liabilities	Other
SCHEDULE A - Real Property	Yes	1	\$-	\$-	\$-
SCHEDULE B - Personal Property	Yes	3	\$26,400	\$-	\$-
SCHEDULE C - Property Claimed as Exempt	Yes	1+	\$-	\$-	\$-
SCHEDULE D - Creditors Holding Secured Claims	Yes	1+	\$-	\$11,211	\$-
SCHEDULE E - Creditors Holding Unsecured Priority Claims	Yes	2	\$-	\$-	\$-
SCHEDULE F - Creditors Holding Unsecured Nonpriority Claims	Yes	1+	\$-	\$53,710	\$-
SCHEDULE G - Executory Contracts and Unexpired Leases	Yes	1	\$-	\$-	\$-
SCHEDULE H - CoDebtors	Yes	1	\$-	\$-	\$-
SCHEDULE I - Current Income of Individual Debtor(s)	Yes	1	\$-	\$-	\$1,981
SCHEDULE J - Current Expenditures of Individual Debtor(s)	Yes	1	\$-	\$-	\$2,770
TOTALS	<b>\$ 26,400</b> TOTAL ASSETS	\$ 64,921 TOTAL LIABILITIES			

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Justin R. Storer

#### STATISTICAL SUMMARY OF CERTAIN LIABILITIES - 28 U.S.C. § 159

If you are an individual debtor whose debts are primarily consumer debts as defined in 101(8) of the Bankruptcy Code (11 U.S.C. 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore, are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C § 159
Summarize the following types of liabilities, as reported in the Schedules, and total them

Type of Liability	Amount
Domestic Support Obligations (From Schedule E)	\$ 0
Taxes and Certain Other Debts Owed to governmental Units (From Schedule E)	\$ 0
Claims for Death or Personal Injury While Debtor was Intoxicated (From Schedule E) whether disputed or undisputed)	\$ 0
Student Loan Obligations (From Schedule F)	\$ 0
Domestic Support Separation Agreement and Divorce Decree Obligations Not Reported on (Schedule E).	\$ 0
Obligations to Pension or Profit Sharing and Other Similar Obligations (From Schedule F)	\$ 0
TOTAL	\$ 0

#### State the following:

Average Income (from Schedule I, Line 16)	\$ 1,980.98
Average Expenses (from Schedule J, Line 18)	\$ 2,770.00
Current Monthly Income (from Form 22A Line 12; or, Form 22B Line 11; or, Form 22C Line 20)	\$ 2,559.44

#### State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 3,211.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" Column		\$0
4. Total from Schedule F		\$ 53,710.00
5. Total of non-priority unsecured debt (sum of 1,3 and 4)		\$ 56,921.00

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint Or Community	Current Value of Debtors Interest in Property Without Deducting and Secured Claim or Exemption	Amount of Secured Claim
[x] None				
	Value of Real Pi t also on Summary of So		1	

PFG Record # 352177 B6A (Official Form 6A) (12/07) Page 1 of 1

#### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

#### Do not list interest in executory and unexpired leases on this schedule. List them in Schedule G.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information in this schedule, do not include the name or address of a minor child. Simpy state a "minor child."

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or quardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	NONE	Description and Location of Property	H W J C	Debtor's Propert Deduc	t Value of Interest in y, Without ting Any d Claim or
01. Cash on Hand	X				
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.		Checking account with MB Financial Bank		\$	20
03. Security Deposits with public utilities, telephone companies, landlords and others.	X				
04. Household goods and furnishings, including audio, video, and computer equipment.		Value City Furniture - Furniture  Household goods; TV, VCR, DVD player, stereo, table, chairs, bedroom set, stove, refrigerator, microwave, pots/pans, dishes/flatware, bbq grill, tools  Harlem Furn furniture	J	\$ \$	300 1,000 500
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Books, Compact Discs, Tapes/Records, Family Pictures		\$	30
06. Wearing Apparel		Necessary wearing apparel.		\$	100
07. Furs and jewelry.		Earrings, watch, costume jewelry, wedding rings		\$	100
08. Firearms and sports, photographic, and other hobby equipment.  PFG Record # 352177	X	B6B (Official Fo	orm 6E	3) (12/07)	Page 1 of 3

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

SCH	SCHEDULE B - PERSONAL PROPERTY						
Type of Property		Description and Location of Property	H & J C	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or			
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X						
10. Annuities. Itemize and name each issuer.	X						
11. Interests in an educational IRA as defined in 26 U.S.C 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. 529(B)(1). Give particulars. (File separately the records(s) of any such interest(s). 11 U.S.C. 521(c); Rule 1007(b)).	X						
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars							
42. Otenia and interests in incompared and		Pension w/ Employer/Former Employer - 100% Exempt.	W	\$ 7,000			
13. Stocks and interests in incorporated and unincorporated businesses.	X						
14. Interest in partnerships or joint ventures. Itemize. Itemize.	X						
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	X						
16. Accounts receivable	X						
17. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled	X						
18. Other liquidated debts owing debtor including tax refunds. Give particulars.	X						
19. Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X						
20. Contingent and Non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X						
21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.		Mr. Tirrito's Expected 2008 Tax Refund		\$ 2,000			
		Mrs. Torrito's Expected 2008 Tax Refund		\$ 2,000			
22. Patents, copyrights and other intellectual property. Give particulars.	X	and the second discountry and the second dis		, –,			
23. Licenses, franchises and other general intangibles.	X						

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

SCH	SCHEDULE B - PERSONAL PROPERTY					
Type of Property		Description and Location of Property	H W J C	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or		
24. Customer list or other compilations containing personally identifiable information (as defined in 11 USC 101 41A provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes	X					
25. Autos, Truck, Trailers and other vehicles and accessories.						
		GMAC - 1999 Chevrolet Cargo Van	J	\$ 6,100		
		2000 Chevrolet 1500 w/over 118,000 miles		\$ 2,175		
		2002 Cadillac Deville w/over 48,000 miles		\$ 5,075		
26. Boats, motors and accessories.	X					
27. Aircraft and accessories.	X					
28. Office equipment, furnishings, and supplies.	X					
29. Machinery, fixtures, equipment, and supplie used in business.	X					
30. Inventory	X					
31. Animals	X					
32. Crops-Growing or Harvested. Give particulars.	X					
33. Farming equipment and implements.	X					
34. Farm supplies, chemicals, and feed.	X					
35. Other personal property of any kind not already listed. Itemize.	X					
		Total (Report also on Summary of Schedules)		\$26,400		

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### NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

SCHEDULE C - PROPERTY CLAIMED EXEMPT								
Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)		Check if debtor claims a homestead exemption that exceeds \$136,875						

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption		
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.					
Checking account with MB Financial Bank	735 ILCS 5/12-1001(b)	\$ 20	\$ 20		
04. Household goods and furnishings, including audio, video, and computer equipment.					
Household goods; TV, VCR, DVD player, stereo, table, chairs, bedroom set, stove, refrigerator, microwave, pots/pans, dishes/flatware, bbq grill, tools	735 ILCS 5/12-1001(b)	\$ 1,000	\$ 1,000		
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.					
Books, Compact Discs, Tapes/Records, Family Pictures	735 ILCS 5/12-1001(a)	\$ 30	\$ 30		
06. Wearing Apparel					
Necessary wearing apparel.	735 ILCS 5/12-1001(a),(e)	\$ 100	\$ 100		
07. Furs and jewelry.					
Earrings, watch, costume jewelry, wedding rings	735 ILCS 5/12-1001(a),(e)	\$ 100	\$ 100		
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars					
Pension w/ Employer/Former Employer - 100% Exempt.	735 ILCS 5/12-1006	\$ 7,000	\$ 7,000		
21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims.					
Give estimated value of each.  Mr. Tirrito's Expected 2008 Tax Refund	735 ILCS 5/12-1001(b)	\$ 2,000	\$ 2,000		
Mrs. Torrito's Expected 2008 Tax Refund	735 ILCS 5/12-1001(b)	\$ 2,000	\$ 2,000		
25. Autos, Truck, Trailers and other vehicles and accessories.					

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### NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

2002 Cadillac Deville w/over 48,000 miles

SCHEDULE C - PROPERTY CLAIMED EXEMPT												
Debtor claims the exemptions to which debtor is entitled up (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)	nder: Check if debtor of that exceeds \$13		stead exemption									
Description of Property	Specify Law Providing Each Exemption	Value of	Current Value of Property without Deducting Exemption									
2000 Chevrolet 1500 w/over 118,000 miles	735 ILCS 5/12-1001(b)	\$ 2,175	\$ 2,175									

735 ILCS 5/12-1001(c)

735 ILCS 5/12-1001(b)

\$ 4,800

275

\$ 5,075

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In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s) on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule D.

	Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor	C H M	* Date Claim was Incured * Nature of Lien *Value of Property Subject to Lien *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
1	GMAC Bankruptcy Department PO Box 5180 Carol Stream IL 60197 Acct No.:		J	Dates: Nature of Lien: Lien on Vehicle - PMSI Market Value: \$ 6,100 Intention: Reaffirm 524 (c) *Description: GMAC - 1999 Chevrolet Cargo Van				\$ 7,200	\$ 0
2	WFNNB Harlem Furniture Bankruptcy Department POB 182125 Columbus OH 43218 Acct No.: 7374		J	Dates: Nature of Lien: Purchase Money Sec Int - PMSI Market Value: \$ 500 Intention: Reaff @ Fair Market Value *Description: Harlem Furn furniture				\$ 2,428	\$ 1,928
3	WFNNB/Value City Furniture Bankruptcy Department PO Box 182125 Columbus OH 43218 Acct No.: 3134		J	Dates: Nature of Lien: Purchase Money Sec Int - PMSI Market Value: \$ 300 Intention: Reaff @ Fair Market Value *Description: Value City Furniture - Furniture				\$ 1,583	\$ 1,283

Total

\$ 11,211

\$ 3,211

(Report also on Summary of Schedules.) (if applicatble, report also on Statistical Summary of Certain Liabilities and Related Data.)

# Document Page 15 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors

	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYF	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
	Domestic Support Obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
	Extensions of Credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but bfore the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	<b>Deposits by individuals</b> Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and certain other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to maintain the capital of insured depository institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
	Claims for death or personal injury while debtor was intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

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<sup>\*</sup> Amounts are subject to adjustment on April 10, 2010, and every three years thereafter with respect to cases commenced on or after the date of adju

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito / Debtors

Attorney for Debtor: Justin R. Storer

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

ᆫ		Ü		•				
Cı	reditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H W	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	 ount of Claim
1	Best Buy/HSBC Bankruptcy Department 90 Christiana Rd. New Castle DE 19720 Acct #: 15182064081202670		J	Dates: 2005 Reason: Credit Card or Credit Use				\$ 400
2	Capital One Bankruptcy Dept. 1957 Westmoreland Road Richmond VA 23276 Acct #: 5291157344449488		J	Dates: 2008 Reason: Credit Card or Credit Use				\$ 600
3	Carson Pirie Scott  Bankruptcy Department PO Box 17633 Baltimore MD 21297-1633  Acct #: 62786001		J	Dates: 2002 Reason: Credit Card or Credit Use				\$ 2,200

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In re

Joseph James Tirrito and Victoria Ann Tirrito / Debtors

Attorney for Debtor: Justin R. Storer

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Cr	editor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
4	Chase/Bank One Bankruptcy Department PO Box 15145 Wilmington DE 19850 Acct #: 4366123000059410		J	Dates: 2003 Reason: Credit Card or Credit Use				\$ 1,150
5	Citicards Private Label/Home D Bankruptcy Department PO Box 20483 Kansas City MO 64195 Acct #: 6035320076669637		J	Dates: 2006 Reason: Credit Card or Credit Use				\$ 1,400
6	Citifinancial Bankruptcy Dept 4500 New Linden Hill Rd Wilmington DE 19808 Acct #: 4309550175787		J	Dates: 2000 Reason: Credit Card or Credit Use				\$ 2,500

#### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

RAB, Inc. Bankruptcy Department 7000 Goodlett Farm Pkwy. Memphis TN 38016

7	First Premier Bank Bankruptcy Department 601 S. Minnesota Ave. Sioux Falls SD 57104	Н	Dates: 2002 Reason: Credit Card or Credit Use		\$	400
	Acct #: 5177607370929133					

#### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

NCC Bankruptcy Department 120 N. Keyser Ave. Scranton PA 18504

In re

Joseph James Tirrito and Victoria Ann Tirrito / Debtors

Attorney for Debtor: Justin R. Storer

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	odebtor	H W J	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Jnliquidated	isputed	Amount of Claim
Bankruptcy Department PO Box 981400 El Paso TX 79998 Acct #: 0981	0	J	Dates: 2005 Reason: Credit Card or Credit Use	ŏ	n	<u> </u>	\$ 3,150
GE Money Bank Bankruptcy Department PO Box 960061 Orlando FL 32896 Acct #: 6019181849001445		Н	Dates: 2006 Reason: Credit Card or Credit Use				\$ 700

#### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Care Credit/GEMB Bankruptcy Department Box 981127 El Paso TX 79998

10 GE Money Bank/Sam's Club Bankruptcy Department PO Box 981064 El Paso TX 79998 Acct #: 6515	J Dates: 2005 Reason: Credit Card or Credit Use	\$ 3,200
11 HSBC Bankruptcy Department PO Box 5253 Carol Stream IL 60197 Acct #: 6011381008782078	J Dates: 2002 Reason: Credit Card or Credit Use	\$ 1,700
12 HSBC/Menards Bankruptcy Department PO Box 5213 Carol Stream IL 60197 Acct #: 8463	J Dates: 2004 Reason: Credit Card or Credit Use	\$ 1,000

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In re

Joseph James Tirrito and Victoria Ann Tirrito / Debtors

Attorney for Debtor: Justin R. Storer

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS										
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim			
13 IRS Non-Priority Attn: Bankruptcy Dept. Box 21126 Philadelphia PA 19114 Acct #: CP160		Н	Dates: 2000 Reason: Taxes - Federal, State/Local				\$ 600			
14 Kohl's Credit/Recovery Bankruptcy Department PO Box 3004 Milwaukee WI 53201 Acct #: 0319417671		J	Dates: 2001 Reason: Credit Card or Credit Use				\$ 1,800			
15 <u>LVNV Funding</u> Bankruptcy Department PO Box 10497 Greenville SC 29603 Acct #: 348390718		J	Dates: 2008 Reason: Credit Card or Credit Use				\$ 3,100			

#### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Weltman, Weinberg & Reis Co. Bankruptcy Department 965 Keynote Circle Brooklyn Hights OH 44131

16 MBNA America Bankruptcy Department PO Box 15019 Wilmington DE 19886-5019 Acct #: 7741	J	Dates: 2000 Reason: Credit Card or Credit Use	\$ 16,200
17 Nordstrom Bank, FSB CO Serv. Ctr/Recovery/Bankrupt PO Box 6566 Greenwood Village CO 80155 Acct #: 1406	J	Dates: 2002 Reason: Credit Card or Credit Use	\$ 4,400

In re

Joseph James Tirrito and Victoria Ann Tirrito / Debtors

Attorney for Debtor: Justin R. Storer

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS nliquidated Contingent **Date Claim Was Incurred and** Disputed Codebtor Creditor's Name, Mailing Address Including **Amount of** w Consideration For Claim. **Zip Code and Account Number** Claim J If Claim is Subject to Setoff, So State (See Instructions Above) C 18 Retailers Natl Bank - Target J Dates: 2004 Attn: Bankruptcy Dept. Reason: Credit Card or Credit Use 1,000 Box 59231 Minneapolis MN 55459 Acct #: 4352371706512622 19 Rush Oak Park Hospital Dates: 2008 Attn: Bankruptcy Dept. Reason: Medical Debt 1,100 1245 E. Diehl Rd Naperville IL 60563 Acct #: XXXXX3306 20 Rush University Medical Center Dates: 2008 **Bankruptcy Department** Reason: Medical/Dental Services \$ 610 1700 W. Van Buren St. Chicago IL 60612 Acct #: 172937 / H60970142 21 SBC Illinois Dates: 2003 **Bankruptcy Department** Reason: Utility Bills/Cellular Service 350 225 W. Randolph St. Chicago IL 60606

Law Firm(s) | Collection Agent(s) Representing the Original Creditor

NCC Bankruptcy Department 120 N. Keyser Ave. Scranton PA 18504

Acct #: 10154251

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In re

Joseph James Tirrito and Victoria Ann Tirrito / Debtors

Attorney for Debtor: Justin R. Storer

#### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	_	ount of laim
22 SBC Midwest  Bankruptcy Department 529 S. 7th Springfield IL 62721  Acct #: 7084820766270		Н	Dates: 2002 Reason: Utility Bills/Cellular Service				\$	500

#### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Asset Acceptance LLC Bankruptcy Department POB 15380 Wilmington DE 19850

23 Sears Bankruptcy Recovery Citibank USA Sears PO Box 20363 Kansas City MO 64195 Acct #: 4081	J	Dates: 2001 Reason: Credit Card or Credit Use	\$ 3,150
24 Sprint Bankruptcy Department PO Box 219554 Kansas City MO 64121 Acct #: 01951079801	Н	Dates: 2007 Reason: Utility Bills/Cellular Service	\$ 500

#### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

AFNI Bankruptcy Department 404 Brock Dr Bloomington IL 61702

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito / Debtors

Attorney for Debtor: Justin R. Storer

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIR	MS

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
25 University Anesthesiologist SC Attn: Bankruptcy Department PO Box 128 Glenview IL 60025 Acct #: 002271767		Н	Dates: 2008 Reason: Medical/Dental Services				\$ 1,200

#### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Armor Systems Co. Bankruptcy Department 1700 Kieffer Dr., Ste. 1 Zion IL 60099

26 Von Maur Attn: Bankruptcy Dept. 6565 Brady Street Davenport IA 52806	J	Dates: 2006 Reason: Credit Card or Credit Use		\$ 800
Acct #: 012925509				

**Total Amount of Unsecured Claims** 

(Report also on Summary of Schedules)

\$ 53,710.00

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In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).



Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract. Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Non-Residential Real Property. State Contract Number or Any Government Contract.

[x] None

PFG Record # 352177 B6G (Official Form 6G) (12/07) Page 1 of 1

# Document Page 24 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

Name and Address of CoDebtor	Name and Address of the Creditor
[x] None	

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In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Justin R. Storer

#### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital	DEPENDENTS OF DEE	BTOR AND SPOUSE ~ RELATIONSHIP AND AGE
Status: Married	None, , , ,	
	DEBTOR EMPLOYMENT	SPOUSE EMPLOYMENT
Occupation:	Unemployed	CSR
Name of Employer:		Global Insight Solutions Inc.
Years Employed		7 Years
Employer Address:		2010 N. Harlem
City, State, Zip	,	Elmwood Park, IL 60707

INCOME: (Estimate of average or projected monthly income at time case filed.)	DEBTOR	SPOUSE
1. Monthly Gross Wages, Salary, and commissions	\$ 0.00	\$ 2,687.21
(Prorate if not paid monthly.) 2. Estimated Monthly Overtime	\$ 0.00	\$ 0.00
3. SUBTOTAL	\$ 0.00	\$ 2,687.21
4. LESS PAYROLL DEDUCTIONS		
a. Payroll Taxes and Social Security	\$ 0.00	\$ 461.65
b. Insurance	\$ 0.00	\$ 244.57
c. Union Dues	\$ 0.00	\$ 0.00
d. Other (Specify)  Pension:	\$ 0.00	\$ 0.00
Voluntary 401 Contributions:	\$ 0.00	\$ 0.00
Child Support:	\$ 0.00	\$ 0.00
Life Insurance, Uniforrms, 401K Loan:	\$ 0.00	\$ 0.00
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 0.00	\$ 706.23
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ 0.00	\$ 1,980.98
7. Regular income from operation of business or profession or farm	\$ 0.00	\$ 0.00
Income from real property	\$ 0.00	\$ 0.00
9. Interest and dividends	\$ 0.00	\$ 0.00
<ol> <li>Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.</li> </ol>	\$ 0.00	\$ 0.00
11. Social Security or government assistance (Specify)	\$ 0.00	\$ 0.00
12. Pension or retirement income	\$ 0.00	\$ 0.00
13. Other monthly income & &	\$ 0.00	\$ 0.00
Unemployment Income	\$ 0.00	\$ 0.00
14. SUBTOTAL OF LINES 7 THROUGH 13		
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ 0.00	\$ 1,980.98
16. COMBINED AVERAGE MONTHLY INCOME (Combine column totals fromlin	\$ 1,98	30.98
if there is only one debtor repeat total reported on line 15.)	,	d if applicable on Statistical Summan

Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data.)

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<sup>17.</sup> Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None** 

# UNITED STATES BARKRUPTEY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors Bankruptcy Docket #:

Attorney for Debtor: Justin R. Storer

#### SCHEDULE J - CURRENT EXPENSES OF INDIVIDUAL DEBTOR(S)

SCHEDULE J - CURRENT EXPENSES OF INDIVIDUAL DEBTOR	(S)
Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family at time case filed. If payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.	Prorate any
Check box if joint petition is filed & debtor's spouse maintains a separate household. Complete a separate schedule of expenditures la	beled "Spouse".
Rent or home mortgage payment (include lot rented for mobile home)	\$ 1,600.00
a. Real Estate taxes included? [x] Yes [] No b. Property insurance included? [x] Yes [] No	
2. Utilities: a. Electricity and Heating Fuel	\$ 105.00
b. Water, Sewer, Garbage	\$ 15.00
c. Cellphone, Internet	\$ 50.00
d. Other Home Phone and Cable Television	\$ 112.00
Home Maintenance (repairs and upkeep)	\$ -
4. Food	\$ 250.00
5. Clothing	\$ 20.00
6. Laundry and Dry Cleaning	\$ 2.00
7. Medical and Dental Expenses	\$ 48.00
8. Transportation (not including car payments) Gas, Tolls/Parking, Fees/Licenses, Repair, Bus/Train	\$ 109.00
9. Recreation, Clubs and Entertainment, Newspapers, Magazines, etc.	\$ 10.00
10. Charitable Contributions	\$ -
<ol> <li>Insurance (not deducted from wages or included in home mortgage payments)</li> <li>a. Homeowner's or Renter's</li> </ol>	\$ -
b. Life	\$ -
c. Health	\$-
d. Auto	\$ 105.00
e. Other	<b>\$</b> -
12. Taxes (not deducted from wages or included in home mortgage payments)	•
(Specify) Federal or State Tax Repayments, Real Estate Taxes	\$ -
13. Installment Payments: (In Chapter 11, 12, and 13 cases, do not list payments to be included in plan)	****
a. Auto	\$269.00
b. Reaffirmation Payments	\$ -
c. Other  14. Alimony, maintenance and support paid to others	\$- ©
	\$- ©
<ul><li>15. Payments for support of additional dependents not living at your home</li><li>16. Regular expenses from operation of business, profession, or farm (attach detailed statement)</li></ul>	\$- c
	<b>\$</b> -
17. Other: Haircuts, Hygiene, Newspaper/Mags & Tuition, Books & Childcare & Pet  Eyecare, Meds Postage/Banking GLS Repay: Babysitting Care:	
\$53.00    \$22.00    \$0.00   \$-   \$-	\$75.00
<b>18. AVERAGE MONTHLY EXPENSES</b> (Total lines 1-17. Report also on Summary of Schedules and if applicable, on the Stastical of Summary of Certain Liabilities and Related Data.	\$ 2,770.00
<ol> <li>Describe any increase/decrease in expenditures anticipated to occur within the year following the filing None</li> </ol>	this document:
20. STATEMENT OF MONTHLY NET INCOME a. Average monthly income from Line 15 of Schedule I	\$ 1,980.98
b. Average monthly expenses from Line 18 above	\$ 2,770.00
c. Monthly net income (a. minus b.)	\$(789.02)
d. Total amount to be paid into plan monthly	\$ -
R6 L (Official Form 6 I) (12/07)	Page 1 of 1

Record #: 352177 B6J (Official Form 6J) (12/07) Page 1 of 1

# Document Page 27 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Justin R. Storer

#### **DECLARATION CONCERNING DEBTOR'S SCHEDULES**

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

Dated:	01/27/2009	/s/ Joseph James Tirrito	X Date & Sign
		Joseph James Tirrito	
Dated:	01/27/2009	/s/ Victoria Ann Tirrito	X Date & Sign
		Victoria Ann Tirrito	

if joint case, both spouses must sign. If NOT a joint case the joint debtor will NOT appear.

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

#### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. 110)

Non-Attorney Petition Preparers were **NOT** used to prepare any portion of this petition. All documents were produced by the Law Offices of Peter Francis Geraci.

THIS SECTION ONLY APPLIES TO PETITION PREPARERS AND HAS NOTHING TO DO WITH THIS CASE

#### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

This is a personal bankruptcy for an individual(s) and **NOT** a corporation or partnership.

THIS SECTION ONLY APPLIES TO CORPORTATIONS & PARTNERSHIPS AND HAS NOTHING TO DO WITH THIS CASE

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	
2009: \$0 2008: \$7,694 2007: \$20,403	Employment	
Spouse		
AMOUNT	SOURCE	_

# Document Page 29 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

	STATEMENT OF FINA	ANCIAL AFFAIRS	
Spouse			
AMOUNT	SOURCE		
2009: \$3,995/Mo Gr 2008: \$18,261 2007: \$40,978	Employment		
02. INCOME OTHER THAN FRO	M EMPLOYMENT OR OPERATION OF	BUSINESS:	
the two years immediately precede spouse separately. (Married debt	ved by the debtor other than from emplo ling the commencement of this case. Giv ors filing under chapter 12 or chapter 13 eparated and a joint petition is not filed.)  . SOURCE	e particulars. If a joint petition is file	ed, state income for each
	<u> </u>		
Spouse			
AMOUNT	SOURCE		
03. PAYMENTS TO CREDITORS	S:		
03.1 ATMENTO TO OKEDITORE			
	and c.		
Complete a. or b. as appropriate, a. INDIVIDUAL OR JOINT DEBT services, and other debts to any ovalue of all property that constitut that were made to a creditor on a an approved nonprofit budgeting	and c.  FOR(S) WITH PRIMARILY CONSUMER creditor made within 90 days immediately es or is affected by such transfer is not le count of a domestic support obligation of and creditor counseling agency. (Marrie es whether or not a joint petition is filed,	y proceeding the commencement of ess than \$600.00. Indicate with an or as part of an alternative repayment d debtors filing under chapter 12 o	of this case if the aggregate asterisk (*) any payments ent schedule under a plan by r chapter 13 must include
Complete a. or b. as appropriate, a. INDIVIDUAL OR JOINT DEBT services, and other debts to any ovalue of all property that constitut that were made to a creditor on a an approved nonprofit budgeting	TOR(S) WITH PRIMARILY CONSUMER creditor made within 90 days immediately es or is affected by such transfer is not leccount of a domestic support obligation and creditor counseling agency. (Marrie	y proceeding the commencement of ess than \$600.00. Indicate with an or as part of an alternative repayment d debtors filing under chapter 12 o	of this case if the aggregate asterisk (*) any payments ent schedule under a plan by r chapter 13 must include

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# Document Page 30 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### STATEMENT OF FINANCIAL AFFAIRS

NONE

b. DEBTOR WHOSE DEBTS ARE NOT PRIMARILY CONSUMER DEBTS: List each payment or other transfer to any creditor made with 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000 (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by each or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

 Name and Address
 Dates of
 Amount Paid or Value of
 Amount of Creditor

 Payment/Transfers
 Transfers
 Still Owing

NONE

c. ALL DEBTORS: List all payments made within 1 year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments be either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name & Address of CreditorDatesAmount Paid or Value ofAmount& Relationship to Debtorof PaymentsTransfersStill Owing

NONE

04. SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTIONS, GARNISHMENTS AND ATTACHMENTS:

List all lawsuits & administrative proceedings to which the debtor is or was a party within 1 (one) year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF NATURE COURT STATUS
SUIT AND OF OF AGENCY OF
CASE NUMBER PROCEEDING AND LOCATION DISPOSITION

NONE

04b. WAGES OR ACCOUNTS GARNISHED: Describe all property that has been attached, garnished or seized under any legal or equitable process within (1) one year preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of PersonDateDescriptionfor Whose Benefit Propertyofand Valuewas SeizedSeizureof Property

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### STATEMENT OF FINANCIAL AFFAIRS

NONE

05. REPOSSESSION, FORECLOSURES AND RETURNS:

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor or Seller Date of Repossession, Foreclosure Sale, Transfer or Return Description and Value of Property

NONE

06. ASSIGNMENTS AND RECEIVERSHIPS:

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Assignee Date of Assignment Terms of Assignment or Settlement

NONE

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one (1) year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Custodian Name & Location of Court Case Title & Number Date of Order Description and Value of Property

NONE

07. GIFTS:

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person

or Organization Relationship to Debtor, If Any Date of Gift Description and Value of Gift Case 09-09841 Doc 1 Filed 03/23/09 Entered 03/23/09 14:26:02 Desc Main Document Page 32 of 44

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### STATEMENT OF FINANCIAL AFFAIRS

NONE

08. LOSSES:

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Description and Value of Property

Description of Circumstances and, if Loss Was Covered in Whole or in Part by Insurance, Give Particulars

Date of Loss

#### 09. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY:

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one (1) year immediately preceding the commencement of this case.

Name and Address of Payee Date of Payment, Name of Payer if Other Than Debtor Amount of Money or Description and Value of Property

Payment/Value:

\$2,000.00

Law Office of Peter Francis Geraci

55 E. Monroe Street #3400

Chicago, IL 60603

AAA Cook County

Consolidation 7366 N. Lincoln Ave Ste 101 Lincolnwood, IL 60712 2008 \$859.00

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Name and Address of Payee Date of Payment, Name of Payer if Other Than Debtor 2008 Amount of Money or description and Value of Property

\$50.00

MMI/CCCS 9009 W. Loop S. Houston, TX 77096 Phone 866.983.2227

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### STATEMENT OF FINANCIAL AFFAIRS

NONE

#### 10. OTHER TRANSFERS

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security with two (2) years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of . Describe Property
Transferee, Relationship . Transferred and
to Debtor Date Value Received



10b. List all property transferred by the debtor within ten (10) years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

Name ofDate(s)Amount and DateTrust orofof Sale orother DeviceTransfer(s)Closing

#### 11. CLOSED FINANCIAL ACCOUNTS:

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one (1) year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Institution

Type of Account, Last Four Digits of Account and Date of Sale or Closing

TCF Bank Chicago, IL

Type of Account, Last Four Digits of Account and Date of Sale or Closing

Checking Acct
\$1,100
03/2008

NONE

#### 12. SAFE DEPOSIT BOXES:

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Bank or Other Depository

Names & Addresses of Those With Description of Date of Transfer or Other Depository

Access to Box or depository

Contents

Date of Transfer or Surrender, if Any

# Document Page 34 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

13. SETOFFS:			
10. 0210110.			
	r, including a bank, against a debt or under chapter 12 or chapter 13 mus	•	. •
not a joint petition is filed, unless th	e spouses are separated and a joint	petition is not filed.)	·
Name and Address	Date	Amount	
of Creditor	of Setoff	of Setoff	
14. LIST ALL PROPERTY HELD F	OR ANOTHER PERSON:		
List all property owned by another p	person that the debtor holds or contr	ols.	
Name and Address	Description and	Location	
of Owner	Value of Property	of Property	
15. PRIOR ADDRESS OF DEBTO	R(S):		
If debtor has moved within three (3 occupied during that period and vac	R(S): ) years immediately preceding the contact prior to the commencement of		
occupied during that period and vac of either spouse.	) years immediately preceding the co cated prior to the commencement of Name	this case. If a joint petition is filed, r	
If debtor has moved within three (3 occupied during that period and vac	years immediately preceding the content of the content of the commencement of the commencement of the content o	this case. If a joint petition is filed, r  Dates of  Occupancy	
If debtor has moved within three (3 occupied during that period and vac of either spouse.	) years immediately preceding the co cated prior to the commencement of Name	this case. If a joint petition is filed, r	
If debtor has moved within three (3 occupied during that period and var of either spouse.  Address  4439 S. Sunnyside	years immediately preceding the content of cated prior to the commencement of same  Name Used  Same	this case. If a joint petition is filed, r  Dates of  Occupancy	

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### STATEMENT OF FINANCIAL AFFAIRS

NONE

#### 17. ENVIRONMENTAL INFORMATION:

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil surface water, ground water, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of the these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous material" means anything defined as a hazardous waste, hazardous or toxic substances, pollutant, or contaminant, etc. under environmental Law.

NONE

17a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

Site Name Name and Address Date Environmental and Address of Governmental Unit of Notice Law

NONE

17b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

Site Name Name and Address Date Environmental and Address of Governmental Unit of Notice Law

NONE

17c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

Name and Address of Docket Status of Governmental Unit Number Disposition

#### Document Page 36 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### STATEMENT OF FINANCIAL AFFAIRS

NONE	
Х	ı

18 NATURE, LOCATION AND NAME OF BUSINESS

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six (6) years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six (6) years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six (6) years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six (6) years immediately preceding the commencement of this case.

Name & Last Four Digits of Soc. Sec. No./Complete EIN or Other TaxPayer I.D. No.	Address	Nature of Business	Beginning and Ending Dates
b. Identify any business listed in	subdivision a., above, that is "single a	sset real estate" as defined in 11 US	SC 101.
Name	Address		

19. BOOKS, RECORDS AND FINANCIAL STATEMENTS:

should go directly to the signature page.)

List all bookkeepers and accountants who within two (2) years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

Name	Dates Services
and Address	Rendered

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# Document Page 37 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

	STATEMENT OF FIN	ANCIAL AFFAIRS
19b. List all firms or individuals who within two (2) years immediately preceding the filing of this bankruptcy case have audited the books account and records, or prepared a financial statement of the debtor.		
, р		Dates Services
Name	Address	Rendered
10c. List all firms or individ	duals who at the time of the commencement of	f this case were in possession of the books of account and record
	books of account and records are not availab	
Name	Address	
	utions, creditors and other parties, including n n two (2) years immediately preceding the cor	nercantile and trade agencies, to whom a financial statement was numericement of this case.
Name and	Date	
Address	Issued	
20. INVENTORIES		
		e of the person who supervised the taking of each inventory, and
Date	Inventory	Dollar Amount of Inventory
of Inventory	Supervisor	(specify cost, market of other basis)
inventory	<u>Supervisor</u>	
b. List the name and addr	ess of the person having possession of the re	cords of each of the inventories reported in a., above.
Date	Name and Addresses of Custodian	
of Inventory	of Inventory Records	
21. CURRENT PARTNER	RS, OFFICERS, DIRECTORS AND SHAREH	OLDERS:
a. If the debtor is a partne	rship, list nature and percentage of interest of	each member of the partnership.
Name	Nature	Percentage of
and Address	of Interest	Interest

# Document Page 38 of 44 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

	STATEMENT OF	FINANCIAL AFFAIRS	
21. CURRENT PARTNERS, OFF	ICERS, DIRECTORS AND SHA	REHOLDERS:	
a. If the debtor is a partnership, list	nature and percentage of interes	st of each member of the partnership.	
Name	Nature	Percentage of	
and Address	of Interest	Interest	
21b. If the debtor is a corporation, controls, or holds 5% or more of th		corporation; and each stockholder who directly one corporation.	or indirectly owns,
Name		Nature and Percentage of	
and Address	Title	Stock Ownership	
		nership interest of each member of the partners	ship.
			hip.
If the debtor is a partnership, list th . Name	e nature and percentage of part . Address list all officers, or directors whos	nership interest of each member of the partners  Date of	
Name	e nature and percentage of part . Address list all officers, or directors whos	nership interest of each member of the partners  Date of  Withdrawal	
If the debtor is a partnership, list the Name  22b. If the debtor is a corporation, immediately preceding the comme	Address  list all officers, or directors whose neement of this case.	Date of Withdrawal e relationship with the corporation terminated w	
If the debtor is a partnership, list the Name  22b. If the debtor is a corporation, immediately preceding the comme  Name and Address	Address  list all officers, or directors whose notement of this case.  Title	Date of Withdrawal  e relationship with the corporation terminated w  Date of Termination	
If the debtor is a partnership, list the Name  22b. If the debtor is a corporation, immediately preceding the comme  Name and Address  23. WITHDRAWALS FROM A PARIF the debtor is a partnership or corform, bonuses, loans, stock redem	Address  Iist all officers, or directors whose notement of this case.  Title  RTNERSHIP OR DISTRIBUTION poration, list all withdrawals or compared to the comp	Date of Withdrawal  e relationship with the corporation terminated w  Date of Termination	ithin one (1) year
If the debtor is a partnership, list the Name  22b. If the debtor is a corporation, immediately preceding the comme  Name and Address  23. WITHDRAWALS FROM A PAR	Address  Iist all officers, or directors whose notement of this case.  Title  RTNERSHIP OR DISTRIBUTION poration, list all withdrawals or compared to the comp	Date of Withdrawal  e relationship with the corporation terminated w  Date of Termination  N BY A COPORATION: istributions credited or given to an insider, including the partners of the part	ithin one (1) year

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# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### STATEMENT OF FINANCIAL AFFAIRS

NONE

24. TAX CONSOLIDATION GROUP:

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within six (6) years immediately preceding the commencement of the case.

Name of Parent Corporation Taxpayer Identification Number (EIN)

NONE

25. PENSION FUNDS:

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within six (6) years immediately preceding the commencement of the case.

Name of Pension Fund TaxPayer Identification Number (EIN)

#### **DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachment thereto and that they are true and correct.

Dated: 01/27/2009 /s/ Joseph James Tirrito

**Joseph James Tirrito** 

X Date & Sign

Dated: 01/27/2009 /s/ Victoria Ann Tirrito

**Victoria Ann Tirrito** 

X Date & Sign

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito / Debtors

Attorney for Debtor: Justin R. Storer

#### **DEBTOR'S STATEMENT OF INTENTION**

PART A – Debts secured by property of the estate. (Part A must be fully completed for EACH debt which is secured by property of the estate. Attach additional pages if necessary.)

Property No. 1	
Creditor's Name:	Describe Property Securing Debt:
GMAC Bankruptcy Department	GMAC - 1999 Chevrolet Cargo Van
PO Box 5180	
Carol Stream IL 60197	
Property will be (check one):	
□Surrendered ■F	Retained
If retaining the property, I intend to (check at le	east one):
☐Redeem the property	
■Reaffirm the debt	
□Other. Explain	(for example, avoid lien using 110 U.S.C. §
522(f)).	· · · · · · · · · · · · · · · · · · ·
Property is (check one):	
□Claimed as exempt	■Not claimed as exempt
Property No. 2	
<u>Creditor's Name</u> : WFNNB Harlem Furniture	<u>Describe Property Securing Debt</u> : Harlem Furn furniture
Bankruptcy Department	rianem rum iumiture
POB 182125	
Columbus OH 43218	
Property will be (check one):	
□Surrendered ■F	Retained
If retaining the property, I intend to (check at Id	east one):
☐Redeem the property	
□Reaffirm the debt	
□Other. Explain	(for example, avoid lien using 110 U.S.C. §
522(f)).	
Property is (check one):	
□Claimed as exempt	■Not claimed as exempt

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#### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito / Debtors

Attorney for Debtor: Justin R. Storer

#### **DEBTOR'S STATEMENT OF INTENTION**

PART A - Debts secured by property of the estate. (Part A must be fully completed for EACH debt which is secured by property of the estate. Attach additional pages if necessary.)

Property No. 3	
Creditor's Name: WFNNB/Value City Furniture Bankruptcy Department PO Box 182125 Columbus OH 43218	<u>Describe Property Securing Debt</u> : Value City Furniture - Furniture
Property will be (check one):	
□Surrendered	IRetained
If retaining the property, I intend to (check at	least one):
☐Redeem the property	
□Reaffirm the debt	
□Other. Explain522(f)).	(for example, avoid lien using 110 U.S.C. §
Property is (check one):	
□Claimed as exempt	■Not claimed as exempt

I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.

/s/ Joseph James Tirrito Dated: 01/27/2009

**Joseph James Tirrito** 

/s/ Victoria Ann Tirrito

X Date & Sign

X Date & Sign

01/27/2009 Dated: Victoria Ann Tirrito Case 09-09841 Doc 1 Filed 03/23/09 Entered 03/23/09 14:26:02 Desc Main Document Page 42 of 44

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Joseph James Tirrito and Victoria Ann Tirrito, Debtors

Bankruptcy Docket #:

Attorney for Debtor: Justin R. Storer

#### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR - 2016B

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

# The compensation paid or promised by the Debtor(s), to the undersigned, is as follows: For legal services, Debtor(s) agrees to pay and I have agreed to accept Prior to the filing of this Statement, Debtor(s) has paid and I have received The Filing Fee has been paid. \$2,000 \$2,000

2. The source of the compensation paid to me was:

Debtor(s) Other: (specify)

3. The source of compensation to be paid to me on the unpaid balance, if any, remaining is:

Debtor(s) Other: (specify)

The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: **None.** 

- 4. The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: None.
- 5. The Service rendered or to be rendered include the following:
- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11, U.S.C.
- (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- (c) Representation of the client at the first scheduled meeting of creditors.
- (d) Advice as required.
- **6.** By agreement with the debtor(s), the above-disclosed fee does not include the following service: Fee does **NOT** include missed court dates & amendments to schedules, contested matters, motions, objections to discharge or other matters except the first meeting of creditors.

#### **CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

Respectfully Submitted,

Dated: 03/23/2009 /s/ Justin R. Storer

Attorney Name: Justin R. Storer
LAW OFFICES OF PETER FRANCIS GERACI
55 E. Monroe Street #3400
Chicago IL 60603
312.332.1800 (PH) 312.332.6354 (FAX)

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In re

Joseph James Tirrito, and Victoria Ann Tirrito, Debtors

Attorney for Debtor: Justin R. Storer

#### **VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 01/27/2009 /s/ Joseph James Tirrito

**Joseph James Tirrito** 

X Date & Sign

Dated: 01/27/2009 /s/ Victoria Ann Tirrito

PFG Record #

352177

**Victoria Ann Tirrito** 

X Date & Sign

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

#### NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

#### 1. Services Available from Credit Counseling Agencies

In re

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> bankruptcy filing. Briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) must be provided by nonprofit budget & credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not

#### Chapter 13: Repayment of All or Part of Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family farm or fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

I (We), the debtor(s), affirm that I (we) have received and read this notice.

/s/ Joseph James Tirrito Sign & Date Dated: 01/27/2009 Here **Joseph James Tirrito** /s/ Victoria Ann Tirrito 01/27/2009 Sign & Date Dated: Victoria Ann Tirrito Here /s/ Justin R. Storer 03/23/2009 Dated: Attorney: Justin R. Storer Bar No: 6293889

PFG Record # 352177